IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

Crl.Rev.Pet.No. 4019 of 2007()

CRL.APPEAL NO. 03/2006 of SESSIONS COURT, PALAKKAD
S.T. NO. 589/2002 of JUDICIAL FIRST CLASS MAGISTRATE COURT, MANNARKKAD.

REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED

T.N.VALSAMMA, AGED 44 YEARS,
W/O.DIVAKARAN, MELEMADATHIL HOUSE,
KALLADICODE AMSOM AND DESOM, MANNARKKAD TALUK,
PALAKKAD DISTRICT.

BY ADV. SRI.RAJESH SIVARAMANKUTTY

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE
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1. C.K.BAHULEYAN @ BABU, AGED 47 YEARS,
S/O.KUTTAPPAN, KUTTIYANIKKAL HOUSE,
ARIYOOR AMSOM AND DESOM, MANNARKKAD TALUK,
PALAKKAD DISTRICT.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.G.G.MANOJ
SRI. C.M. NAZAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No.4019 of 2007

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Dated: 12-11-2007

ORDER

The accused in S.T. No. 589 of 2002 on th**e file** of the J.f.C.M., Mannarkkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 11801 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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